

August 21, 1992

CD-92-10 (LDV, LDT)

Dear Manufacturer:

Subject: Listing Standards on Emission Labels

As work on 1994 certification compliance programs has begun, we have received a number of questions about the 1994 labeling requirements as specified in 40 CFR 86.094-35, and in particular, the requirement in paragraph (a)(1)(iii)(F) to list all certification and in-use tailpipe standards on the underhood emission label¹. Based on the analysis of the relatively few comments EPA received on this subject during the rulemaking process, the rule was published as proposed. Some manufacturers are now asking to produce labels which do not contain the actual standards. The purpose of this letter is to clarify the intent of the requirements and to present some labeling options.

The intent of the requirement, as stated in the Preamble to the Tier 1 Rule published on June 5, 1991, was to allow a "...user to be able to determine, without access to databases or extensive records, which of the many possible combinations of standards apply to a given vehicle." It was the Agency's original intention that the actual standards be listed on the label, and this remains the first choice for labeling.

Since the publication of the final Tier 1 rule, however, EPA has developed an optional new engine family name format, effective with the 1994 model year, which includes coding for all certification and in-use standards, at all stages of phase-in, including cold CO and particulate matter. A decoding chart for the new engine family name directs the user to the proper standard level - the actual standards would then be determined by

¹Please note that evaporative standards and California standards are not included in this requirement.

reference to the CFR. The decoding chart and CFR would be easily accessible to those most likely to need this information, so the intent of the labeling requirement that the user not need "access to databases or extensive records" would be fulfilled. Those manufacturers utilizing this engine family naming protocol may therefore use the name in lieu of listing all standards on the emission label, (unless they are certifying to a Family Emission Limit - see below).

Other alternative labeling options could be proposed, provided that they require the user to refer only to the CFR. We have explored such an option, but discovered that the wording required to cover all standards would likely take up more label space than would listing the actual standards.

Labels for those engine families with Family Emission Limits (FELs) must include the actual FEL because it is unique for the engine family, and must be determined by examination of the original application for certification, rather than by reference to the CFR.

Until all Tier 1 standards are phased in, emission standards for individual vehicles will be complex. To avoid any confusion about the standards, listing them on the label is preferable. We are offering a reference to the engine family name as an option only if the manufacturer adopts EPA's engine family names. This option requires the user to refer to a decoding chart, and then to the CFR standards chart, which adds a level of complexity for the user to determine the standards, but is within the scope of the regulation intent. Other labeling options may be deemed acceptable if they can allow the user to refer only to the CFR to determine the standards, but may be less appealing because of excessive verbiage. Any questions about the labeling requirements should be directed to your certification representative.

Sincerely,

Robert E. Maxwell, Director
Certification Division
Office of Mobile Sources

Enclosure

G:\MANUFACT\DEARMFRL.AB2